

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 3RD DAY OF NOVEMBER 2015/12TH KARTHIKA, 1937

WP(C).No. 33363 of 2015 (U)

PETITIONER(S):

M.C.JOSE AGED 57 YEARS
MULLANKUZHY HOUSE, MALAKUNNAM P.O
CHANGANACHERY-686 532

BY ADV. SRI.P.DEEPAK

RESPONDENT(S):

THE SECRETARY, REGIONAL TRANSPORT AUTHORITY,
PATHANAMTHITTA 689 645

R BY ADV.K.A.SANJEETHA, SENIOR GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
03-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 33363 of 2015

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT P1. TRUE COPY OF THE REGULAR PERMIT ISSUED TO KL 33/E 5768 VALID
TILL 8.6.2019

EXHIBIT P2. TRUE COPY OF THE CLEARANCE CERTIFICATE DATED 25.6.2015
ISSUED TO KL 33/E 5768

EXHIBIT P3. TRUE COPY OF THE APPLICATION FOR REPLACEMENT FILED ON
26.10.2015

EXHIBIT P4. TRUE COPY OF THE TEMPORARY PERMIT ISSUED KL 17/A3133 VALID
TILL 4.11.2015

EXHIBIT P5. TRUE COPY OF PROCEEDINGS OF THE RESPONDENT DATED 27.10.2015

EXHIBIT P6. TRUE COPY OF THE JUDGMENT DATED 21.1.2013 IN W.P(C)NO.1960
OF 2013.

RESPONDENT(S) ' EXHIBITS

-----NIL

TRUE COPY

SKS

P.A TO JUDGE

V.CHITAMBARESH, J.

W.P(C)NO. 33363 OF 2015

Dated this the 3rd day of November, 2015

JUDGMENT

The vehicle used for operation of service can be replaced by an older vehicle provided it is roadworthy. This principle as enunciated in Ext.P6 judgment shall be borne in mind while reconsidering Ext.P3 application for replacement. Ext.P5 proceedings of the respondent are hereby quashed to facilitate reconsideration. The final orders shall be passed anew within a period of three weeks.

The writ petition is disposed of as above.

V.CHITAMBARESH, JUDGE

sks